

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL STEVE COX,
 #40295

Plaintiff,

vs.

NEVADA, STATE OF, *et al.*,
 Defendants.

3:12-cv-00483-LRH-VPC

ORDER

Plaintiff filed this action pursuant to 42 U.S.C. § 1983. On October 16, 2012, the court issued an order denying plaintiff's application to proceed *in forma pauperis* because he has "three strikes" under 28 U.S.C. § 1915(g) (ECF #3). Plaintiff filed a notice of appeal (ECF #4), and November 7, 2012, the Ninth Circuit Court of Appeals issued an order directing that his appeal would not be permitted to proceed (ECF #6). The order on mandate was entered on November 9, 2012 (ECF #7).

On November 16, 2012, the court directed plaintiff to submit the \$350.00 filing fee within thirty (30) days (ECF #8). The court expressly warned plaintiff that failure to respond to this court's order would result in dismissal of this action. The order was served on plaintiff at his address of record.

More than the allotted time has elapsed and plaintiff has not paid the filing fee nor responded to the court's order in any manner. Accordingly, this entire action will be dismissed for failure to comply with the court's order.

IT IS THEREFORE ORDERED that this action is **DISMISSED without prejudice** for the failure of plaintiff to comply with this court's order to pay the filing fee.

//

1 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly and close
2 this case.

3
4 DATED this 28th day of January, 2013.



5
6 _____
LARRY R. HICKS
UNITED STATES DISTRICT JUDGE